Scott. II-37—50,000—27-10-41.

Home (194) Department.

(22)

M.C. SERIES.

G.O. No.	30.40.
Dated	28. 9.41.

[Despatch Abstract.]

Kzzi -Coimbatore Dt. Kollegal taluk- Bamdalli village - appointment of ~~ad~~ Muhammad Sarfar Sahib - notified.

C.F. 32.

Revenue Department | Received 25 JUL 1942 | Registered

From (Name) A.D.Crombie, Esquire., C.I.E., I.C.S. | To The Secretary to Government, Home Department, Madras.

Designation Collector.

Station Coimbatore.

UNDER SECRETARY TO GOVERNMENT 24 JUL 1942 HOME DEPT

JOINT SECRETARY ... JUL 1942 HOME DEPARTMENT

6130.(6)9

25.7.42

Enclosures:

Ref. No. A.7. 4692/42 A.7 dated the 21st July 1942.

Sir,

A Endowments - Muhammadan - Religious - Kollegal Taluk - Bandalli village - Kazi appointment - petition of Muhammad Jaffar sahib - report.

Muhammad Jaffar Sahib son of the late "Kazi" Abdul Kadir Sahib of Bandalli applies for the post of a Khaji for that village. A previous request of the applicant in 1937 was not considered as there was then faction in the village. Conditions have since improved. The Muhammadans have settled their differences and agreed to have the applicant as "Kazi"

2. One Imam Khan Sahib, who seems to have led the opposition in 1937 is the only objector to the recognition of the applicant as Kazi. His objection is that the applicant, a District Board school master now employed at Basappandoddi about 8 miles from Bandalli is likely to be

transferred to different places. He may therefore not be available always in the village to do the Kazi's work and may have to get it done by naibs.

2. The Tahsildar, Kollegal and Revenue Divisional Officer do not consider the above objections as valid as the Act permits the appointment of "Naibs" I agree with them and recommend the appointment of the applicant as "Kazi" for Bandalli village. Translation of the statements recorded by the Tahsildar on 24-6-42 and the records of enquiry are enclosed.

Section 52 of 1917 (M)

113-11 supra

for Collector.

Enclosures:
Records current and D.Dis. 5746/1931 dated 25-1-38.

S.K.P. 21-7-42.

PTO

Statement of Imam Khan Sahib son of Peer Khan Sahib.

I understand that Muhammad Jaffar Sahib the eldest son of the late Government Kazi Abdul Kadir Sahib of Bandalli has now applied for the Kazi's post. He is now employed as a school master at Basappandoddi. For four months we had prayers in the mosque repeated by a "Pesh Imam". He left the place and for the past two months there is no one to repeat prayers. We are ourselves doing it. We had a panchayat about 8 months back and resolved as follow:

1. That prayers at the mosque should be got done by a "Pesh" Imam.
2. That Ramzan Bakrid, Kutba, marriage etc functions should be done by the above Muhammad Jaffar Sahib

These resolutions were not recorded in writing. There is now no faction in the village. I have no objection to the Kazi sahib conducting his work. But I object to the work being done by a naib. In the above panchayat it was resolved not to have Muhammad Yusuf Sahib as Kazi to which he also agreed. If the applicant Muhammad Jaffar Sahib leaves his teachers' post, I have no objection in his appointment as Kazi by Government.

Statement of some of the Muslim resident of Bandalli

About 7 or 8 months back there was a panchayat in our village in which resolutions were passed. For some time we collected at the rate of 2 annas from each house and had the prayers at the Mosque repeated by a "Pesh" Imam. For the past 3 or 4 months there was no collection and there is no "Pesh" Imam now. The Kazi's duties are attended to by Muhammad Jaffar Sahib when available and at other times by his brother Muhammad Kalanthar Sahib as resolved by the panchayat orally. We have no objection in Muhammad Jaffar Sahib doing duties as Kazi. There is no faction in the village. We have settled our differences.

PTO

4

Statement of V.Os of Bandalli

There is no factions among the Muhammadans in our village now. For the past 7 or 8 months they are all united after a panchayat.

S.K.P. 21-7

22/7/42

5

Home Department.

C.No. 6130/0/42.

Memo. No. 6130(6)G-1 dated 1-8-42

Kazi - Coimbatore dt. - Kollegal taluk - Bandalli village - Appointment - Proposal.

Refce. Letter from the Collr. of Coimbatore, Refce. No. A-7-4692/42-A-7, dated 2.7.1942.

The Collr. of Coimbatore is requested to report not later than 22.8.42 -

(1) whether there is any inam or yeomiah attached to the post of the Kazi of Bandalli village and, if so, to state the nature and amount of the endowment;

(2) when the father of the present applicant Muhammad Jafar Sahib was appointed by the Govt. as Kazi of Bandalli village and when he died; and

(3) who has been conducting the work of the Kazi in the Bandalli village since the death of the last Kazi appointed by the Govt.

UNDER SECRETARY TO GOVERNMENT 29 JUL 1942 HOME DEPT.

ASSISTANT SECRETARY TO GOVERNMENT 31 JUL 1942 HOME DEPARTMENT

To the Collr. of Coimbatore. (R.D.23.8.42.)

28.7.42

P.T.O.

6

NOTE: Please see A on p. 1 c.f. It would appear that there is an endowment attached to the post of the Kazi. If there is one, then orders assigning the endowment in the name of the Kazi appointed by the Govt. will have to issue in Revenue as that dept. deals with inams and yeomiahs. In the order appointing the applicant as Kazi mention should be made of this fact. It is, therefore, necessary to ascertain whether any endowment is attached to the post. pp 9-10 of Bruce on Rules & Scale but inform 3

2. It would appear that the Kazi appointed by the Govt. died some years ago and it is not stated how the Muhammadans of the Bandalli village were managing their religious affairs without a Kazi. If they have been managing with a Kazi from a neighbouring village, then the necessity for an appointment of a Kazi for Bandalli village may not be great. prior to 1937 cf para 1 on p 1 c f

WAS
28.7.42.

A
29/7/42

4692/42A7

Revenue Department.

Ref. ~~D.Dis.5746/37~~

Dated 4-8-42.

To

A .D.Crombie Esq., C.I.E., I.C.S.,
Collector & Dt.Magistrate,
Coimbatore.

The Secretary to the Govt. of Madras, Home Department, Madras

Sir,

Kazi- Kollegal Taluk- Bandalli village-Appointment- Proposal.

Home Department Memo No.6130/(0) G-1, dated 1-8-42.

I request the return of my Office D.Dis.5746/37, dated 25-1-1938 for submitting the report called for

for Collector.

ASSISTANT SECRETARY TO GOVERNMENT
9-AUG 1942
HOME DEPT.

Home Deptt

Rec'd 20/8/42 Memo No 6130 (1) 42-2 dt 18.8.42

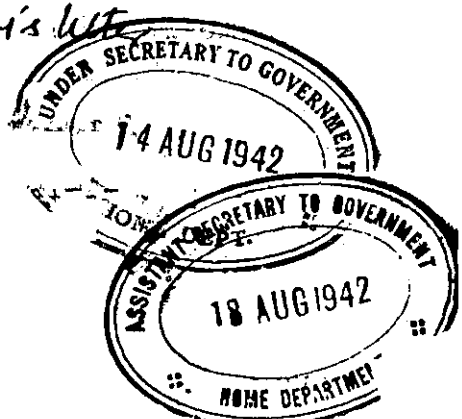
Karti : Kollegal Taluk - Bandalli village.

Appointment - Alg: Correspondence ending with D.C. Coimbatore's letter No 4692/42 A3 dt 7 Supra 4-8-42.

The records referred to in the D. M's letter cited above are returned herewith.

To the D. M. Coimbatore.
(with enclosures)

10-8-42



C.F. 32.

8530 (o)/9

Revenue Department

Received 27 AUG 1942 Registered

From (Name) A.D.Crombie Esq., C.I.E.,I.C.S.,
Designation Collector of Coimbatore.
Station

To
The Secretary to the Government of Madras,
Home Department, Madras.

Enclosures Ref No. 4692/42 A-7 dated 22-8-42.

Sir,

Kazi -Kollegal Taluk- Bandalli village-Appointment proposal further report.

Home Department Memo No.6130/(o)/G-1, dated 1-8-42.

I give below the reply to the three points raised in the Government Memo.

Point 1:- There is no Yeomiah attached to the post of Kazi but there is a personal inam attached to it. The personal inam is covered by titled deed No.29 of Bandalli village.

S.No.633-A(Dry) measuring Acres 0.52.
Assessment Rs. 0-7-0
S.No.633 D(dry) measuring Acres 49-35
Assessment Rs.40-2-0

Total Acres 49-87
Assessment 40-9-0 are covered by the titledeed. The personal inam stands in the name of Kazi Abdul Kadir Sahib, the deceased. The amount, that is, the value of the endowed lands can be estimated at Rs.one thousand.

Point 2:- Abdul Kadir Sahib is the fatner of the applicant Muhammad Jaffar Sahib. Abdul Kadir Sahib was appointed Kazi of Bandalli village in Government notification No.408 dated 11-10-1902 published at page 1047 of the Fort St.George Gazette dated 14-10-1902. He died on 18-6-1937.

Point 3. There was some dispute regarding the work of Kazi after the death of Khazi Abdul Kadir Sahib. For some time, no body was attending to the work of Kazi in the village. The Muhammadans settled their differences eight months ago in a Panchayat. The petitioner Muhammad Jaffar Sahib has been attending to the work of Kazi from the time of the Settlement.

svc.24.8.

for Collector.

Encl: D.Dis.5764/37, dated 25-1-38.

C.F. 32.

Revenue Department

From (Name) Gulam Md. Badsha Sahib Bahadur.,B.A.,
Designation Revenue Divl.Officer,
Station Kollegal.

Received ..... Registered .....

To
The Collector of
Coimbatore.

Enclosures:

Ref. No. C.452/42 dated 4th July 1942.

Sir,

Endowments- Muhammadan religions-Kollegal Taluk- Bandalli Village- Appointment of a Kazi- application report submitted-

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This Office Ref.3234/37 dated 13-1-1938 and Collector's D.Dis.5764/37 dated 25-1-1938.

Muhammad Jaffar saheb son of late Government Kazi Abdul Khadir Saheb of Bandalli applied for the post of a Kazi in Bandalli village in the year 1937. It was found then that faction prevailed in the village among the Muhammadans and the Collector ordered in his proceedings read above that he was not prepared to consider the question of appointment of a Kazi. Now again the same applicant has applied for the post of a Kazi in Bandalli Village. The Tahsildar who made an elaborate enquiry reports that there is no faction in the village and the parties have settled their differences in a panchayat. I submit herewith a copy of the report of the Tahsildar, Kollegal in the matter for consideration.

The principal Muhammadan residents of the village have no objection to the petitioner being appointed as a kazi The only objector is Imam Khan saheb who seems to have led the opposition against the applicant even in 1937 when his appointment to kazi-ship was considered. His seems to be no valid objection for there is absolutely no disadvantage in the Government appointed kazi following a school teacher's profession. Under the law he is permitted to appoint naib under him to carry on the kazi's work, when he himself is unable to attend to it and his continued absence from the Village for a period of six months also renders him unfit to hold the post. The objection of this Imam Saheb may be over ruled and the applicant appointed.

The records of enquiry are also enclosed.

for Rev. Divl.Officer.

V.S.6-7

Encl:

12

Copy of Kollegal Tahsildar's L.Dis.1243/42 dated 27-6-1942 to the Rev. Divl.Officer, Kollegal.

Kazi-Appointment-Kollegal Taluk- Bandalli village- Application -report submission-

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Ref: Your N.Ref.No.452/42 dated 19-2-1942 (resubmitted).

I enquired into the petition of B.K.Muhammad Jaffer Sahib for appointment as Kazi of Bandalli village. He is the eldest son of Abdul Khadir Sahib, who was appointed as Kazi of Bandalli in Government notification No.408 dated 11-10-1902 published at page 1047 of the Fort St., George Gazette dated 14-10-1902. The Kazi office of Bandalli was in the same family line descending from father to son. Abdul Kadir Sahib died about 4 or 5 years back. Muhammad Jaffer Sahib applied for the post in 1937 but the Collector deferred the question as there was then two parties in the village and one party did not support the claim of the petitioner. There is now no faction in the village and the parties have settled their differences in a panchayat held about 7 or 8 months back. The petitioner performed in December 1941, the Nikah of the daughter of Muhammad Yusouff Saheb, who was a rival candidate in 1937. The petitioner also lead the prayers at the last Ramzan and Bakrid.

I enquired the important muslim residents of the place and they have no objection to the appointment of the petitioner as the kazi of the place. One Imam Khan Saheb is the only objector. He however admits the Panchayat and the understanding arrived at then. He also admits that there is no faction amongst the muslims of the place and that the petitioner is now looking after the functions of a Kazi. His only objection is that he is now employed as a school master elsewhere. He however has no objection to the petitioner being appointed as Kazi provided he resigns his job as school master. The petitioner is now employed as a school master(X) is no bar to his being appointed as Kazi of Bandalli village. He can appoint naibs and carry on with the work of a Kazi. Further Basappan Doddi is only about 8 miles from Bandalli and his services could be obtained at a short notice. Hence this objection of a single person deserves no consideration.

The village officers state that the muslims have settled their differences about 7 or 8 months back and that there is no faction now.

Under the above circumstances I submit that there is no objection to the petitioner being appointed as the Kazi of Bandalli.

/True Copy/

(X) in the District Board Muhammadan School at Basappandoddi and he is not willing to resign his job. His present occupation as schoolmaster

Ex. 13

Bandalli Village,
Dated- 18-2-42

From,

B.K. Muhammed Jaffer Sahib,
Son of Late Govt. Khazi Abdul Khadir Sahib,
Bandalli, Kollegal Talu[k]

To,

The Collector of Coimbatore, Coimbatore.
through the Revenue Divisional Officer, Kollegal.

Respected Sir,

Subt- Khaziappointment - Bandalli village -
Ref. Revenue Divisional Officer's D.Dis. 5764-1937 dated 25-1-38.

The humble petition of B.K.Muhammed Jaffer son of the late Government Khazi Abdul Khadir Sahib of Bandalli village Kollegal Taluk of Coimbatore district, most respectfully bet to submit as follows:-

That my father Khazi Abdul Khadir Sahib was appointed as such by the Government for the village of Bandalli in the year 1902. Please see Fort Saint George Gazette dated 14-10-1902, on page 1047.

That he exercised his office of Khazi for a long period and died in the year 1937. I am his eldest son and is the legal successor of my father's Khazi office.

That in the year 1937 I applied for my father's post as heriditary Khazi and the Revenue Divisional Officer was kind enough to give me an endorsement to the effect that he is not prepared to considerm the questiom then in his D.Dis 5764/37 dated 25-1-38.

In this connection I beg to submit that the nikah ceremoney of the dauthter of one Muhammed Yousuff sahib who also stood as a canditate for the Khazi office at that time was also performed by me on 12-12-41 including all the I'd prayers.

I therefore request that I may be appointed by the Government for the hereditary Khazi office of my father for Bandalli Range.

For this act of kindness the petitioner shall ever be grateful to you.

GOVT. OF T.N. MAGS.
18 FEB 1942

I beg to remain,

Respected sir,

Your most obedient servant,

B K Muhammad Jaffer

14

1243.

N Rey 453/42.

Forwarded to the Tahsildar Kollegal for enquiry and report.

2. In ~~this connection~~ this office D.Dis 3234/37 is also enclosed for ~~perusal~~ reference and return.

Rev. Dwl officer
Kollegal

23 FEB 1942

Put up with the connected papers

19-2-42

19-2-42

Encl. 1. DDis 3234/37

Issued Slips to record
BH 24/2/42

Statement of Imam Khan Sahib
& Pir Khan Sahib. 15

[illegible]

Statement of Sonu s/o Tulsiram resident of Bandali village. 17

JOINT SECRETARY
27 JUL 1942
HOME DEPARTMENT

UNDER SECRETARY TO GOVERNMENT
27 JUL 1942
HOME DEPT.

ASSISTANT SECRETARY TO GOVT.
28 JUL 1942
HOME DEPARTMENT

Statement of the accd. Bandalli.

(By Regd. Post)

8

ASSISTANT SECRETARY TO GOVERNMENT
4 OCT 1942
HOME DEPARTMENT

19

C.F. 16.

Home Deptt.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..	28/29/9	B
When copied ..		
When examined ..		
When signed ..		
When despatched.		

SUBJECT :—

Karai - Coimbatore Dt - Kollegal Taluk - Bandalli village - Appointment of - Muhammad Jaffar Sahib - Notified.

READ AGAIN _____, dated _____ 19____

" " _____ " _____ 19____

READ *ALSO* :—

pp1-2 f.

© No. 6130(0)C/42 From the Collector of Coimbatore No. A-T-4692/42 A-7 dated 2-7-42, dated _____ 19____

" _____ " _____ " _____ " _____ 19____

" _____ " _____ " _____ " _____ 19____

Order / ~~Resolution~~ Ms. / ~~Roc.~~ No. 3540, dated 23/9/42

Proceedings at page 459 of Home (Pub.) 31-5-43

© The following notification will be published in the Fort St. George Gazette _____ pt

W/

Notification.

Under the provisions of section 2 of the Kazis Act, 1880 (XII of 1880) H.E. the Governor of Madras is hereby pleased to appoint Muhammed Jaffar Sahib as Kazi for the village of Bandalli in the Kollegal Taluk of the Coimbatore Dt.

2 Orders regarding the personal inam attached to the post of kazi will be issued in the Revenue department.

11/9/42

G
Typist

To the Collector of (with enclosure in duplicate)
Publication of the notification (para 1 only)
Revenue Dept with extract

Copy sent to Collector of Coimbatore for information and necessary action.

Kazi - Coimbatore District - Kollegal Taluk - Bandalli Village - appointment - Proposal.

No.6130(O)G/42 From the Collector of Coimbatore, Ref:No.A-7-4692/42 A-7 dated 2.7.42.

Memo No.6130(O)G-1 dated 1.8.42.

From the Collector of Coimbatore No.4692/42 A-7 dated 22.8.42.

Abdul Kadir Sahib, Kazi of Bandalli village in Kollegal Taluk of Coimbatore District appointed by the Govt. died on 18.6.37. As there was some dispute among the residents of the village regarding the work of the Kazi after the death of Abdul Kadir Sahib, the post of Kazi has been kept unfilled since that date.

2 The Collector of Coimbatore now reports that the dispute among the residents of the village has been settled. He recommends that Muhammad Jaffar Sahib may be appointed as the Kazi. The nominee is the son of the late Kazi. Local opinion has been consulted as required by section 2 of the Kazis Act. The Collector reports that the only person who objects to the appointment of Muhammad Jaffar Sahib is one Imman Khan Sahib. His objection is based on the fact that Muhammad Jaffar Sahib is a Dt. Board School master at present employed at Basapandoddi about eight miles from Bandalli village and that as he is likely to be transferred to different places he may not be available always in the village to do the Kazi's work. As observed by the Collector, the objection is not valid as under section 3 of the Act, 'Naibs' may be appointed to act in the Kazi's place.

3 The Collector's reply to the points raised in the Memo. on p. 5 c.f. are:-

(1) That there is a personal inam attached to the post of the Kazi and that it stands in the name of late Kazi Abdul Kadir Sahib.

(2) that Abdul Kadir Sahib is the father of the present applicant, that he was appointed by the Govt. in 1908 and that he died on 18.6.1937 and

(3) that after the death of the late Kazi nobody was attending to the work of the Kazi due to some disputes among the Muhammadans of the village regarding the works of Kazi. The Collector adds that the differences among the residents had been settled eight months ago and that since that date, Muhammad Jaffar Sahib, the present applicant, had been attending to the work of the Kazi.

In the circumstances, the Collector recommends that Muhammad Jaffar Sahib may be appointed Kazi. For orders whether the Collector's recommendation may be accepted. If so, the draft below is for approval. The file may be sent to Revenue for ~~issuing orders for the assignment~~ mutawalli para 2 of the ~~personal inam~~ in the name of ~~Muhammad Jaffar Sahib~~.

JS
19/9

ASSISTANT SECRETARY TO GOVERNMENT 21 SEP 1942 HOME DEPARTMENT

ASSISTANT SECRETARY TO GOVERNMENT 18 SEP 1942 HOME DEPARTMENT

Sd
19/9/42

Sd
16/9/42

ORDER SECRETARY TO GOVERNMENT 15 SEP 1942 HOME DEPT.

Rev

Rev Home No 6130(0)G-3
4152
15 SEP 1942

Para 2 accepted in Revenue
Relevant extract from the orders of CO may
kindly please be sent with the order

Sd
19/9/42

Home

Rev. No. 4157/G-1
19.9.42

The draft order may issue. Extracts of pages 1-2 ~~1-6~~, 5-6 of 9 cf. and 1-2 nf. may be sent to Revenue department

9864 (O)

JOINT SECRETARY 28 SEP 1942 HOME DEPARTMENT

Sd
23/9/42

Sd
25/9/42